

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE  
NEWARK, NEW JERSEY AUGUST 5, 2009**

ATTENDANCE: The following members were in attendance:

Steven Brisgel; Emil Cappetta, DDS; Sheila Dashkow, DMD; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Alexander Hall, DMD; Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Miller and Swang Oo; Executive Director, Jonathan Eisenmenger; Michael Dominach, Paralegal; Cecilia Moreira, Senior Management Assistant

ABSENT AND/OR EXCUSED: Shirley Birenz, RDH; Arnold Rosenheck, DMD

NOTE: The Public Session commenced at 9:30 A.M.

APPROVAL OF MINUTES: July 1, 2009 - Approved as amended.  
July 15, 2009 - Approved as amended.

**I. COMMITTEE REPORTS:**

**Dental Applications:**

1. Dr. Harvey Waldman - Reinstatement application of New Jersey license. Dr. Waldman must complete the remainder 73 credits prior to reinstatement.
2. Dr. Edward Drescher - Reinstatement application of New Jersey license. The committee recommended that Dr. Drescher be scheduled for an appearance based on the information disclosed on his application.
3. Dr. Abraham Spizer - Question about branch licenses in hospitals for doctors who are on staff at the hospital-

**Dental Auxiliaries:**

1. Dawn McKenna - Application for dental hygiene license. The committee recommended approval.  
PUBLIC SESSION MINUTES - 2 - AUGUST 5, 2009
2. Rose Mercante - Registered dental assistant reinstatement application. The committee recommended that Ms. Mercante be scheduled for an appearance before the Board based on the information disclosed on her application.
3. Lina Milter - Registered dental assistant reinstatement application. The committee recommended that Ms. Milter be scheduled for an appearance before the Board based on the information disclosed on her application.
4. Elizabeth Danton - Application for registered dental assistant. The committee recommended approval pending receipt of the proofs of continuing education credits.
5. Ashley Mingin - Application for registered dental assistant. The committee recommended approval pending receipt of the proofs of continuing education credits.

**II CONTINUING EDUCATION:**

1. Dr. Cappetta reported on nine remedial courses. All courses were approved.

2. The continuing education committee reported on 24 courses submitted for pre-approval. The committee recommended approval of these courses.

### III. EXECUTIVE DIRECTOR'S REPORT

1. The Board discussed a memorandum from the Budget Officer concerning a credit for the Board of Dentistry licensees for renewal of license. The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio approved the recommendations of the Division.

2. The Board received 170 applications and issued 246 licenses and permits.

3. Renewal mailers - A letter is being sent to all branch license addresses reminding license holders to confirm the existence and ongoing need for the active branch. Dental renewal forms will be mailed by the end of the month.

### IV. APPEARANCES:

1. 9:30 A.M. - Dr. Vincent LaBruna - Appearance concerning the reinstatement of Dr. LaBruna's license which was suspended by Consent Order filed by the Board on July 16, 2008. Dr. LaBruna appeared with Mr. Michael Quiat, Esq.

The Board in a motion by Dr. Dolinsky, Dr. Feinberg, determined to reinstate Dr. LaBruna's license. He will be required for five (5) years to undergo an annual psychological evaluation, a certified annual report of his finances prepared by an auditor, random audits, continued monitoring pursuant to the psychologist's recommendations, and automatic suspension for violations of these terms.

### V. ELECTIONS FOR PRESIDENT AND VICE-PRESIDENT:

President - Dr. Cappetta

Vice President - Dr. Riccianni

The Board thanked Dr. Hall for his work during his term as President of the Board.

### VI. FORMAL COMPLAINT AND ANSWER AND REQUEST FOR HEARING

1. Dr. Gary S. Schneiderman - Dr. Schneiderman has admitted the allegations in the complaint, and has requested a mitigation hearing. The Board moved this matter to executive session to discuss the next steps in the process due to the recusal of several members.

The Board determined to schedule a mitigation hearing.

### VII. PROOF OF COMPLETION OF THE PROBE COURSE AS REQUIRED BY BOARD ORDER

1. Dr. Lloyd Calder - The Board took this as informational.

### VIII. REQUEST FOR REMOVAL OF RESTRICTIONS PLACED ON HIS LICENSE

1. Dr. Joseph Hannah - The Board reviewed correspondence from Dr. Mark E. Coleman requesting removal of the remaining restrictions on Dr. Hannah's license. The Board moved this matter to executive session to discuss the issues involved.

The Board determined that Dr. Coleman be advised that Dr. Hannah will have to submit a request for Board consideration.

### IX. REPORTS SUBMITTED PURSUANT TO N.J.A.C. 13:30-8.8

1. Dr. August D. Pellegrini - The Board took this as informational.
2. Dr. Ruchi Batra - The Board took this as informational.
3. Dr. Matthew C. Locketto - The Board took this as informational.
4. Dr. Philip H. Wolfson - The Board moved this to Executive Session.
5. Dr. Elon T. Elisha - The Board took this as informational.
6. UMDNJ - New Jersey Dental School (2nd report) - The Board moved this to Executive Session.
7. Dr. Michael Masella - The Board moved this to Executive Session.

#### X. OTHER MATTERS

1. Dr. Richard D'Eustachio - The Board reviewed a request for consideration to be nominated as a NERB examiner. This matter was moved to the NERB committee.
2. The Board reviewed an inquiry from Geeta Acharya, Compliance Officer, New Jersey Dental School, concerning branch license requirement for New Jersey Dental School faculty. DAG Miller will contact Ms. Acharya to get more information and attempt to answer her question with the appropriate statutes and/or regulations.
3. The Board reviewed a list of current roster of clinical faculty at New Jersey Dental School provided by Dean Cecile A. Feldman, DMD. The Board office will check the status of the limited teaching certificates.
4. The Board reviewed an inquiry from Dr. Warren Merguerian requesting clarification of the board's regulation NJAC 13:30-8.13. The Board will review this in the sunset process.
5. The Board reviewed correspondence from the Joint Commission on National Dental Examinations seeking applicants for its position of public member. The Board took this as informational.
6. The Board reviewed an article entitled "Using dentists as dope dealers." The Board took this as informational.

#### XI. ORDERS/SETTLEMENTS FILED BY THE BOARD IN THE MONTH OF JULY 2009

1. Dr. Spiros Karas - Uniform Penalty Letter filed on 7-17-09  
- Settlement Letter filed on 7-17-09
2. Dr. Pourang Bral - Consent Order filed on 7-15-09
3. Dr. John Kallis - Consent Order filed on 7-15-09
4. Coreen Noguera, Dental Hygienist - Voluntary Surrender of License to Practice Order filed on 7-1-09
5. Dr. Herrick Lai - Order of Summary Suspension filed on 7-1-09
6. Dr. Gennadiy Benyaminov - Order of Summary Suspension filed on 7-1-09
7. Dr. John J. Fitzpatrick - Consent Order Modifying Restrictions on License filed on 7-1-09

The Board took this as informational.

#### XII. HANDOUTS:

1. Article from Los Angeles Times about the Board of Nursing - This was taken as informational.
2. Article from CNN.com- Redheads experience more pain and fear of dentists - This was taken as informational.

3. Copy of NJDA Dental Advocate - This was taken as informational.

4. Letter from Arthur Meisel from the New Jersey Dental Association concerning Invisalign and other orthodontic products. This matter was tabled for review at the next meeting.

### XIII. PUBLIC COMMENTS

1. Arthur Meisel from the NJDA- Question about "Lateisse" (to make lashes thicker and stronger.) The Board determined that this cannot be prescribed by a dentist because it is not within the scope of practice of a dentist.

2. Arthur Meisel from the NJDA - Question about a dentist putting a dental chair/office in a Boys Club... the Board directed that he should submit an application for a branch license, and he needs to comply with all of the regulations.

### XIV. ADJOURNMENT:

12:05 PM